## 2013 DRAFTING REQUEST

| DIII                                |                                      |                       |                  |             |            | ·                      |                 |              |  |
|-------------------------------------|--------------------------------------|-----------------------|------------------|-------------|------------|------------------------|-----------------|--------------|--|
| Receiv                              | ved: 1                               | 10/9/2012             |                  |             | ]          | Received By:           | jkreye          |              |  |
| Wante                               | nted: As time permits                |                       |                  |             |            | Companion to LRB:      |                 |              |  |
| For:                                | I                                    | Administration-Budget |                  |             |            | By/Representing:       | g: Ley          |              |  |
| May Contact:                        |                                      |                       |                  |             | ]          | Drafter:               | jkreye          |              |  |
| Subject: Tax, Other - miscellaneous |                                      |                       |                  |             | 1          | Addl. Drafters:        |                 |              |  |
|                                     |                                      |                       |                  |             | ]          | Extra Copies:          |                 |              |  |
| Reque                               | t via ema<br>ster's ema<br>n copy (C | uil:                  | ÆS<br>oseph.krey | re@legis.   | wisconsin. | gov                    |                 |              |  |
| Pre To                              | opic:                                | <u>.</u> .            |                  |             |            |                        |                 |              |  |
| DOA:                                | Ley, I                               | BB0077 -              |                  |             |            |                        |                 |              |  |
| Topic                               | •                                    |                       |                  |             |            |                        |                 |              |  |
| Pass th                             | ne federal                           | refund offset fe      | ee to the del    | btor        |            |                        |                 |              |  |
| Instru                              | ections:                             |                       | <u> </u>         | W.          |            |                        | <del>.</del>    | <del></del>  |  |
| See att                             | tached                               |                       |                  |             |            |                        |                 |              |  |
| Drafti                              | ng Histo                             | ry:                   |                  |             |            |                        | <u> </u>        | <del> </del> |  |
| Vers.                               | Drafted                              | Review                | <u>red Typ</u>   | <u>ed</u>   | Proofed    | <u>Submitted</u>       | <u>Jacketed</u> | Required     |  |
| /?                                  | jkreye<br>10/12/20                   | 012                   |                  |             |            |                        |                 |              |  |
| /P1                                 |                                      | csicilia<br>10/17/2   |                  | 7/2012      |            | sbasford<br>10/17/2012 |                 | State        |  |
| FE Sei                              | nt For:                              |                       |                  |             |            |                        |                 |              |  |
|                                     |                                      |                       |                  | <end></end> |            |                        |                 |              |  |

### 2013 DRAFTING REQUEST

Bill

Received:

10/9/2012

Received By:

jkreye

Wanted:

As time permits

Companion to LRB:

For:

Administration-Budget

By/Representing: Ley

May Contact:

Drafter:

jkreye

Subject:

Tax, Other - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email:

**YES** 

Requester's email:

Carbon copy (CC) to:

joseph.kreye@legis.wisconsin.gov

Pre Topic:

DOA:.....Ley, BB0077 -

Topic:

Pass the federal refund offset fee to the debtor

**Instructions:** 

See attached

**Drafting History:** 

Vers. Drafted

Reviewed **Typed**  Proofed

**Submitted** 

**Jacketed** 

Required

/? ikreye

FE Sent For:

<END>

From:

Kreye, Joseph

Hanaman, Cathlene

Sent:

Monday, October 08, 2012 8:44 AM

To:

Kreye, Joseph; Shovers, Marc

**Subject:** 

FW: Statutory Language Drafting Request

From: Emily.Ley@wisconsin.gov [mailto:Emily.Ley@wisconsin.gov]

Sent: Tuesday, October 02, 2012 1:41 PM

To: Hanaman, Cathlene

Cc: Frederick, Caitlin - DOA; Ley, Emily A - DOA; Thornton, Scott - DOA

**Subject:** Statutory Language Drafting Request

Biennial Budget: 2013-15

**DOA Tracking Code: BB0077** 

Topic: Pass the Federal Refund Offset Fee to the Debtor

**SBO Team: TLGED** 

SBO Analyst: Ley, Emily - DOA

Phone: 608-266-7597

E-mail: Emily.Ley@wisconsin.gov

Agency Acronym: DOR

**Agency Number: 566** 

**Priority:** Medium

#### Intent:

Amend sec. 73.03(52)(a), Wis. Stats., to allow the department to pass on the IRS refund offset fee to the debtor.

Sec. 73.03(52)(a), Wis. Stats., allows the Department of Revenue to participate in the Federal tax refund offset program. The IRS currently charges \$22 per offset. The Department of Revenue currently does not pass on the cost of the offset to the debtor. In FY 12, a total of 7,080 federal offsets were sent to the department at a cost to the state of \$155,760. Sec. 73.03(52)(b), Wis. Stats., allows the Department of Revenue to pass on to debtors, the costs charged by the Federal government for non-tax payment offsets.

Effective 6 months after publication to allow time for integrated tax system changes.

Attachments: False

Please send completed drafts to <a href="mailto:statlanguage@wisapps.wi.gov">statlanguage@wisapps.wi.gov</a>



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### State of Misconsin 2013 - 2014 LEGISLATURE



DOA:.....Ley, BB0077 - Pass the federal refund offset fee to the debtor

### FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

in 10-12-12

Do NOT Gen

AN ACT ...; relating to: the budget.

## Analysis by the Legislative Reference Bureau TAXATION

#### **OTHER TAXATION**

Under current law, DOR may enter into agreements with the Internal Revenue Service to provide for offsetting state tax refunds against federal tax obligations and offsetting federal tax refunds against state tax obligations. This bill allows DOR to collect the offset cost from the debtor.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 73.03 (52) (a) of the statutes is amended to read:

73.03 (52) (a) To enter into agreements with the Internal Revenue Service that provide for offsetting state tax refunds against federal tax obligations; and to charge a fee up to \$25 per transaction for such offsets; and offsetting federal tax refunds

- against state tax obligations, and collecting the offset cost from the debtor, if the 1 2 agreements provide that setoffs under ss. 71.93 and 71.935 occur before the setoffs 3 under those agreements.
  - History: 1971 c. 40, 215; 1973 c. 90; 1975 c. 39; 1977 c. 143; 1977 c. 196 s. 130 (7); 1977 c. 313; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221, 350; 1981 c. 20; 1981 c. 79 s. 18; 1983 a. 275 s. 15 (4); 1983 a. 524; 1983 a. 538 s. 269 (3); 1985 a. 12, 29, 273; 1987 a. 4, 27, 186; 1987 a. 312 s. 17; 1987 a. 328, 378, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 74, 335; 1991 a. 39, 219, 313, 316; 1993 a. 16, 112, 205, 490; 1995 a. 27 ss. 3434g to 3440m, 9145 (1); 1995 a. 209, 233; 1997 a. 27, 35, 191, 237, 252; 1999 a. 9, 31, 185; 2001 a. 16, 44, 104, 107, 109; 2003 a. 33, 127; 2005 a. 25, 259; 2007 a. 20, 86; 2009 a. 2, 28, 180, 401; 2011 a. 10, 32, 257.

    SECTION 9437. Effective dates; Revenue

(1) Offset costs. The treatment of section 73.03 (52) (a) of the statutes takes 5 6 effect on the first day of the 6th month beginning after publication.

7 (END)



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## State of Misconsin 2013 - 2014 LEGISLATURE



DOA:.....Ley, BB0077 – Pass the federal refund offset fee to the debtor

FOR 2013–2015 BUDGET — NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

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| 7 | (END)   |  |  |  |  |  |
|---|---|--|--|--|--|--|
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